

**TO:** Fort Wayne Senate  
**FROM:** Student Affairs Committee  
**DATE:** January 30, 1995  
**SUBJECT:** Student Code Revisions

**DISPOSITION:** To the Presiding Officer for Recommendation

**WHEREAS:** A need for revisions to the Student Code of Rights and Responsibilities has been identified by the Student Affairs Committee to

- (1) clarify lines of authority according to the new management agreement
- (2) incorporate the new Antiharassment Policy
- (3) modify the Nondiscrimination Policy to incorporate language in effect on the West Lafayette campus
- (4) include the Community Advisory Council in the review process for consideration of changes to the Code
- (5) amend the disciplinary procedures and hearings to inform the victim of the outcome of cases alleging sexual assault
- (6) incorporate new simplified student complaint procedures, and

**WHEREAS:** The Student Affairs Committee has approved wording to amend relevant passages in the Student Code;

**RESOLVED:** That the Senate approve the amended document.

Present Text

Proposed Amended Text  
Additions Emboldened

Part I

Part I

Student Rights and Responsibilities

Student Rights and Responsibilities

A. Individual Rights and Responsibilities

A. Individual Rights and Responsibilities

3. Nondiscrimination-IPFW is an equal access/equal opportunity institution. No qualified person will be denied admission or employment, nor will any student or employee be subjected to discriminatory treatment or be excluded from participation in any educational program or activity, on the basis of race, religion, color, gender, age, national origin, ethnicity, handicap, or status as disabled or Vietnam-era veteran.

3. Nondiscrimination—IPFW is an equal access/equal opportunity institution. No qualified person will be denied admission or employment, nor will any student or employee be subjected to discriminatory treatment or be excluded from participation in any educational program or activity, on the basis of race, religion, color, gender, age, national origin or **ancestry, disability,** or status as disabled or Vietnam-era veteran. **IPFW will not tolerate discrimination against any person in the IPFW community for any reason. While individuals with alternative lifestyles are accorded no special privileges, they are assured of equal protection under IPFW regulations.**

4. Nonharassment-IPFW strives to maintain the campus as a place where students may study and work free of sexual harassment and harassment on the basis of race, color, religion, age, handicap, ethnicity, national origin, or other protected status. Students should be aware that harassment in the educational environment is unacceptable conduct and will not be condoned. [See IPFW Harassment Policy.]

4. **Antiharassment—It is the policy of IPFW to maintain the campus as a place of work and study for faculty, staff, and students free from all forms of harassment. In providing an educational and work climate that is positive and harassment-free, faculty, staff, and students should be aware that harassment in the workplace or the educational environment is unacceptable conduct and will not be tolerated. [See Antiharassment Policy.] This policy addresses harassment in all forms, covering those with legally protected status for reasons of race, gender, religion, color, age, national origin or ancestry, or disability, as well as those who are harassed for other reasons such as sexual orientation.**

Present Text

Part I

Student Rights and Responsibilities

D. Summary of Rights and Responsibilities  
(2nd paragraph)

Whenever a student or a group of students claims that these rights have been violated and that the student or group of students has been or will be adversely affected thereby, and such complaint is not resolved informally by the interested parties, it may be presented to an appropriate body of the campus appeals system. Through this system, an appropriate individual, board, or committee shall have the power and duty to hear the interested parties and to make findings on complaints within its jurisdiction. In case of grade appeals, the individuals and committees designated in the IPFW grade appeals system shall have final authority. In the case of sexual harassment, the individuals and panel designated in the IPFW Procedures for Handling Complaints of Sexual Harassment shall have final authority. In all other cases, the Campus Appeals Board shall submit recommendations to the chief administrative officer of IPFW provided that all such claims which arise out of, or are connected with, alleged misconduct for which disciplinary proceedings have been instituted shall be presented and determined in such proceedings. If necessary the chief administrative officer of IPFW may present such recommendations to the University President and Board of Trustees for their consideration.

Proposed Amended Text  
Changes Emboldened

Part I

Student Rights and Responsibilities

D. Summary of Rights and Responsibilities  
(2nd paragraph)

Whenever a student or a group of students claims that these rights have been violated and that the student or group of students has been or will be adversely affected thereby, and such complaint is not resolved informally by the interested parties, it may be presented to an appropriate body of the campus appeals system. Through this system, an appropriate individual, board, or committee shall have the power and duty to hear the interested parties and to make findings on complaints within its jurisdiction. In case of grade appeals, the individuals and committees designated in the IPFW grade appeals system shall have final authority. ~~In the case of sexual harassment, the individuals and panel designated in the IPFW Procedures for Handling Complaints of Sexual Harassment shall have final authority.~~ In all other cases, the Campus Appeals Board shall submit recommendations to the chief administrative officer of IPFW **after such claims related to alleged misconduct for which disciplinary proceedings have been instituted have been presented to said board and findings determined in an appropriate hearing.** If necessary the chief administrative officer of IPFW may present such recommendations to the University President and Board of Trustees for their consideration.

Present Text

Part I

Student Rights and Responsibilities

E. Amendment of Rights and Responsibilities

Proposed amendments of these rights and responsibilities may be initiated by the Indiana-Purdue Student Government Association, Fort Wayne Senate, administrative officials, or the Board of Trustees and shall be submitted to the Indiana-Purdue Student Government Association and Fort Wayne Senate for consideration and recommendation before adoption by the Board of Trustees. In the event the Board of Trustees adopts an amendment not approved by the Indiana-Purdue Student Government Association and Fort Wayne Senate, either the Indiana-Purdue Student Government Association or Fort Wayne Senate may withdraw its endorsement of the rights and responsibilities in whole or in part.

Part II

Student Conduct Subject to Disciplinary Action

B. Personal Misconduct

4. Disorderly conduct which interferes with teaching, research, administration, or other IPFW or IPFW-authorized activity.

11. Harassment, as defined by the IPFW Harassment Policies.

Proposed Amended Text  
Changes and Additions Emboldened

Part I

Student Rights and Responsibilities

E. Amendment of Rights and Responsibilities

Proposed amendments of these rights and responsibilities may be initiated by the Indiana-Purdue Student Government Association, Fort Wayne Senate, administrative officials, or the Board of Trustees and shall be submitted to the Indiana-Purdue Student Government Association, **and Fort Wayne Senate, and Community Advisory Council** for consideration and recommendation before adoption by the Board of Trustees. In the event the Board of Trustees adopts an amendment not approved by the Indiana-Purdue Student Government Association and Fort Wayne Senate, either the Indiana-Purdue Student Government Association or Fort Wayne Senate may withdraw its endorsement of the rights and responsibilities in whole or in part.

Part II

Student Conduct Subject to Disciplinary Action

B. Personal Misconduct

4. Disorderly **or disruptive** conduct which interferes with teaching, research, administration, or other IPFW or IPFW-authorized activity.

11. Harassment, as defined by the IPFW **Antiharassment Policy.**

**Proposed Amended Text**  
**Additions Emboldened**

**Part III**

**Student Disciplinary Procedures and Campus Appeals  
Board**

**B. Disciplinary Procedures for Personal  
Misconduct.**

**2. Informal Hearing**

**e. Both the student and the student's  
accuser shall be informed of the  
outcome of any hearing brought alleging  
a sexual assault.**

**4. Campus Appeals Board**

**e. Both the student and the student's  
accuser shall be informed of the  
outcome of any appeals proceeding  
brought alleging a sexual assault.**

Present Text

Part III

Student Disciplinary Procedures and Campus Appeals Board

4. Campus Appeals Board

f. Complaints Concerning Student Rights

Students having complaints concerning actions or decisions made by IPFW which are claimed to violate rights established under Part I of these regulations- Student Rights and Responsibilities-must first seek to resolve their complaints at the lowest unit level. Only after all administrative remedies have been exhausted shall the Campus Appeals Board hear the complaints. The Campus Appeals Board shall have the authority and duty to make findings and recommendations to the chief administrative officer of IPFW.

Proposed Amended Text  
Additions Emboldened

New Part V. (Part III, 4.F. deleted)

**Student Complaint Procedures**

**Students having complaints concerning actions or decisions which are claimed to violate rights established under Part I of the Code, the Americans with Disabilities Act, Ethical Guidelines for Computer Users, or HIV/AIDS Guidelines, must first seek to resolve their complaints at the lowest unit level. Good-faith efforts will ensure the timely handling of such complaints. Depending upon the nature of the complaints, appropriate faculty or administrators may be designated to investigate, mediate, and suggest a resolution. Only after all such remedies have been exhausted may the students request a hearing before the Campus Appeals Board. The Campus Appeals Board shall have the authority and duty to reach findings and to convey recommendations to the chief administrative officer of IPFW.**

Present Text

Part V

Authority, Application, and Amendments

A. Authority

The regulations governing student conduct, disciplinary procedures, appeals, and mental disorders are enacted by the Trustees of Indiana University and the Trustees of Purdue University in the exercise of their joint responsibility for rules governing the conduct and discipline of students at the Fort Wayne Campus as provided in Paragraph 6(d) of the Indiana University-Purdue University at Fort Wayne Management and Academic Mission Agreement and pursuant to the power and authority conferred upon them by the laws of the State of Indiana, including (without limitation) the power conferred by I.C.20-12-23-2 upon the Trustees of Indiana University to prescribe the course of study and discipline in the University and to make all bylaws necessary with respect thereto, the power conferred by I.C.20-12-36-4 upon the Trustees of Purdue University to do all acts necessary and expedient to keep the University in operation and to make all bylaws, rules and regulations required or proper to conduct and manage the University, and the power and duty conferred by I.C.20-12-1-2 upon both to govern the conduct of their students.

C. Amendments

These regulations, and any amendments hereto, shall take effect on a date prescribed by the Trustees of Indiana University and Trustees of Purdue University and shall remain in effect until rescinded or modified by the respective Trustees. Amendments may be proposed at any time by the Indiana-Purdue Student Government Association, Fort Wayne Senate, IPFW administrative staff, or by the Trustees of Purdue University.

Proposed Amended Text  
Changes Emboldened

Part V

Authority, Application, and Amendments

A. Authority

As provided in the Indiana University-Purdue University Fort Wayne Management and Academic Mission Agreement, **"Purdue University shall be responsible for all policies related to student matters. IPFW student rights, responsibilities, and standards of conduct will be established by campus administrators in consultation with the student and faculty government organizations and with the IPFW Community Advisory Council and shall be consistent with the principles established by Purdue and Indiana Universities."**

C. Amendments

These regulations, and any amendments hereto, shall take effect on a date prescribed by the Trustees of ~~Indiana University and Trustees of Purdue University~~ and shall remain in effect until rescinded or modified by ~~the respective Trustees~~ them. Amendments may be proposed at any time by the Indiana-Purdue Student Government Association, Fort Wayne Senate, IPFW administrative staff, **Community Advisory Council**, or by the Trustees of Purdue University.